IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 6753 of 2006
Date of Decision: 18.12.2006

Rajwanti ...Petitioner

Versus

Dayawanti ....Respondent

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri N.C. Kinra, Advocate, for the petitioner.

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the learned Rent Controller on 8.12.2006, whereby the exparte ejectment order has been ordered to remain stayed subject to the petitioner's depositing arrears of rent from 1.4.2002 till 13.11.2006 @ Rs.900/- per month.

It has been found by the learned Rent Controller that some receipts produced by the petitioner reflect the payment of rent upto March, 2002. It has been further found that there is no evidence on the the main file or in the present application to show that the petitioner has tendered rent beyond March, 2002.

In view of the said finding, I do not find any patent illegality or irregularity in the impugned order passed by the learned Rent Controller, calling upon the petitioner to deposit arrears of rent for a period subsequent to the one for which rent receipts were produced by the

petitioner. The petitioner cannot be permitted to enjoy the possession of the property without paying the rent, for the period he remains in possession thereof.

Consequently, the present petition is dismissed.

18-12-2006
ds

(HEMANT GUPTA)
JUDGE